

Application No.: 09/662,432
Amendment Dated: February 22, 2005
Reply to Office Action of: November 24, 2004

MTS-3205US

Remarks/Arguments:

Status of Claims

Claims 1-20 and 49-85 are pending (after entry of the Further Amendment Prior to Examination filed on May 27, 2004).

The Examiner appears to have not considered the Further Amendment Prior to Examination filed on May 27, 2004. Thus, the examination in the Action was incomplete as only claims 1-48 from the previous Amendment filed October 21, 2002 were considered by the Examiner and of those claims, claims 21-48 were canceled in the Further Amendment Prior to Examination. Applicants have therefore canceled claims 49-85 which were not reviewed by the Examiner and added new claims 86-100 which correspond to and amend claims 21-31, 36-38, 47 included in the Amendment filed October 21, 2002 and thereafter canceled. Moreover, claims 101-125 are newly added.

Thus, by this Amendment, claims 1-7, 10-11, and 13-14 are amended, claims 12 and 49-85 are canceled without prejudice and claims 86-125 are added.

No new matter is added by the claim amendments and new claims and, accordingly, it is submitted that entry and approval of same is proper, and is respectfully requested.

Allowable Subject Matter

In the Action, at item 16, claims 8, 9, 21-25 and 37 are allowed by the Examiner in the Action. However, claims 21-25 and 37 were previously cancelled in the Further Amendment filed May 27, 2004.

New claims 86-90 and 98 correspond to and include subject matter similar to that of canceled claims 21-25 and 37.

It is submitted that new claims 86-90 and 98 are allowable for the reasons set forth above.

Reconsideration is respectfully requested.

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Claim Objection

In the Action, at item 11, claim 30 is objected to as being in improper form because a multi-dependent claim cannot depend from another multi-dependent claim. However, claim 30 was previously cancelled in the Further Amendment filed May 27, 2004.

Accordingly, the objection is moot. It is pointed out to the Examiner that claim 30 prior to being canceled was not dependent on a multi-dependent claim.

Reconsideration is respectfully requested.

Specification Objection

In the Action, at item 1, the disclosure is objected to because abbreviations or acronyms "PID" and "LSI" are cited throughout the specification without explanation.

The specification has been amended to overcome the objection with regard to the term "PID". However, Applicants cannot find in the specification the term "LSI" and, therefore, traverses this objection. Should the Examiner maintain the objection in the next Action, the Examiner is requested to point out the location(s) of such term.

In the Action, at item 2, the title of the invention is objected to as being non-descriptive.

The title of the invention has been amended to overcome this objection.

Accordingly, it is submitted that the specification objections are overcome.

Reconsideration is respectfully requested.

Drawing Objection

In the Action, at item 3, the drawings are objected to because Figs. 9 and 10 should be designated -- Prior Art --.

Figs. 9 and 10 have been amended as suggested by the Examiner.

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Accordingly, it is submitted that the drawing objection is overcome.

Reconsideration is respectfully requested.

Rejection under 35 U.S.C. §101

In the Action, at item 4, claims 15-20 and 39-46 are rejected under 35 U.S.C. §101 because these claims are directed to non-statutory subject matter.

Claims 15-20 and 39-46 are canceled and, accordingly, the rejection of this claim is now moot.

Reconsideration is respectfully requested.

Rejection under 35 U.S.C. §112, ¶1

In the Action, at item 5, claim 12 is rejected under 35 U.S.C. §112, as a single means claim.

Claim 12 is canceled without prejudice and, accordingly, the rejection of this claim is now moot.

Reconsideration is respectfully requested.

Rejection under 35 U.S.C. §112, ¶2

In the Action, at items 7-10, claims 1-7 and 27-44 are rejected under 35 U.S.C. §112, ¶2 as being indefinite. In particular, claims 1, 6, 7, 27 and 33 included limitations, that are either: (1) not understood (i.e., claims 1 and 6); (2) improper (i.e., claim 7 being a hybrid claim); or (3) unclear (i.e., claims 27 and 33). However, claims 27-44 were previously cancelled in the Further Amendment filed May 27, 2004.

Claims 1, 6, 7 are amended to overcome this rejection.

Moreover, claims 2-5, which are rejected due to their dependency on claim 1, are now submitted to be free of the rejection as well.

Reconsideration is respectfully requested.

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Rejection under 35 U.S.C. §103(a)

In the Action, at items 13-15, claims 10-20, 26, 31, 32, 36, 38, 47 and 48 are rejected under 35 U.S.C. §103(a) as being unpatentable over the Admitted Prior Art. However, claims 15-20, 26, 31, 32, 36, 38, 47 and 48 were previously cancelled in the Further Amendment filed May 27, 2004.

In this Amendment, claims 12 and 15-20 have been cancelled without prejudice and the rejection thereof is now moot.

Claim 10

Claim 10 is directed to a reception system, and recites "a PID designating unit which is configured to selectively designate a PID of a packet of a predetermined type which is other than the NIT packet in the received transport stream, as a PID of a replace packet."

The Admitted Prior Art

The Admitted Prior Art discloses, for example, that the SIT packet replacing device 176 receives the transport stream 195 supplied from the output switching circuit 20. The SIT packet replacing device 176 replaces the NIT packet 134 indicated by the NIT PID storing device 23, with the SIT packet 141 supplied from the SIT storing device 25. That is, contrary to the invention recited in claim 10, the Admitted Prior Art merely designates and replaces NIT packet 134. (See original specification at page 10, lines fifth full paragraph.)

Accordingly, claim 10 is submitted to patentably distinguish over the Admitted Prior Art, and should be allowable.

Claim 11, 13 and 14, which include similar features to those of claim 10 are also submitted to be allowable for similar reasons to those of claim 10.

Reconsideration is respectfully requested.

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New claims 91, 96, 97, 99 and 100

New claims 91, 96, 97-99 and 100 that correspond to and amend canceled claims 26, 31, 36-38, and 47, respectively, include similar features to those of claim 10 and are also submitted to be allowable for similar reasons to those of claim 10.

New claims 92-95 that correspond to and amend canceled claims 27-30, respectively, ultimately depend from claim 91, and should be allowable for at least the same reasons as claim 91

New claims 101-125 are added to provide a varying scope of protection and are patentable for the recitations therein.

Consideration and approval of new claims 86-125 is respectfully requested.

Conclusion

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

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Attachments: Figures 9 and 10 (2 sheets)

Dated: February 22, 2005

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The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

February 22, 2005

Fran Petrucco

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Amendments to the Drawings:

The attached sheets of drawings include changes to Figures 9 and 10. The legend --PRIOR ART-- has been added. These sheets replace the original sheets.